1	BEFORE THE BOARD OF DIRECTORS,
2	PLACER COUNTY AIR POLLUTION CONTROL DISTRICT,
3	STATE OF CALIFORNIA
4 5	RESOLUTION NO. <u>06-12</u>
6	In The Matter Of: The Declaration of "No Sources to Regulate for Nitrogen
7	Oxides (NOx)" for Five Specific NOx Rule Categories in
8	Placer County, Which Had Been Previously Approved by U.S.
9	EPA, and the Submittal of the Declaration as a Requested
10	Revision to the State Implementation Plan.
11	The following RESOLUTION was duly passed by the Board of Directors, Placer
12	County Air Pollution Control District, at a regular meeting held <u>August 10, 2006</u> by the
13	following vote on roll call:
14	Ayes: Holmes, M. Millward Weygandt Holmes, J. A Blackmun A
15	Nakata Hill Gaines A Gray V
16	Noes: Holmes, MMillwardWeygandt Holmes, J.
17	Blackmun
18	Nakata Hill Gaines Gray
19	Abstain: Holmes, MMillwardWeygandt Holmes, J
20	Blackmun Nakata Hill Gaines Gray
21	
22	Signed and approved by me after its passage.
23	
24	flut lakata Chairperson
25	
26	Attest:
27	$\mathcal{M}$ $\mathcal{M}$
28	Magi Kolfu Clerk of said Board

WHEREAS, Section 40001 of the Health and Safety Code of the State of California 1 authorizes the Placer County Air Pollution Control District, to adopt and enforce Rules and 2 Regulations to achieve and maintain ambient air quality standards within the District; and 3 4 WHEREAS, Section 40702 of the Health and Safety Code of the State of California requires 5 a district to adopt rules and regulations and do such acts as may be necessary or proper to 6 execute the powers and duties granted; and 7 8 9 WHEREAS, portions of the Placer County Air Pollution Control District (PCAPCD) have been designated as "serious" non-attainment areas for the federal 8-hour ozone standard 10 pursuant to the Federal Clean Air Act Amendments of 1990 (FCAA): and 11 12 WHEREAS, the FCAA requires for non-attainment areas the submittal of Nitrogen Oxides 13 (NOx) Reasonably Available Control Technology (RACT) rules covering all Major 14 Stationary Sources of NOx; and 15 16 WHEREAS, the Board of Directors of the PCAPCD has determined in the 2006 RACT SIP 17 Update Analysis that there are no Major Stationary Sources of NOx in the District in the 18 categories of Utility Boilers, Cement Kilns, Glass Treatment, Iron and Steel Manufacturing. 19 and Nitric and Adipic Acid Manufacturing; and 20 21 WHEREAS, the Board of Directors of the PCAPCD has determined that the adoption of a 22 negative declaration, stating that the District has no existing Major Stationary Sources of 23 NOx in the categories of Utility Boilers, Cement Kilns, Glass Treatment, Iron and Steel 24

Manufacturing, and Nitric and Adipic Acid Manufacturing is necessary to comply with

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- requirements of California Health and Safety Code Sections 40001 and 40910, and with Title
- 2 1, Part D, Subpart 2, Section 182(f), of the 1990 Federal Clean Air Act Amendments for the
- 3 submittal of Reasonable Available Control Technology (RACT) rules covering all Major
- 4 Stationary Sources of NOx emissions; and

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- 6 WHEREAS, These findings reaffirm a NOx RACT SIP analysis completed by PCAPCD in
- 7 1997 and the adoption of Negative Declarations for these same rule categories by the District
- 8 Board which were later approved by the U.S. EPA in Federal Register Notice FR 50766,
- 9 September 23, 1998; and

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- 11 WHEREAS, these proceedings were held in a public hearing and were properly noticed
- pursuant to Section 40725 of the Health and Safety Code of the State of California; with any
- evidence having been received concerning the proposed adoption of this Resolution and this
- 14 Board having duly considered such evidence; and

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- 16 WHEREAS, the PCAPCD has considered the relative cost effectiveness of the measure as
- well as other factors, as required by Health and Safety Code Section 40922, and made
- 18 reasonable efforts to determine the direct costs expected to be incurred by regulated parties
- pursuant to Health and Safety Code Section 40703; and

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- 21 WHEREAS, the negative declaration findings are categorically exempt from CEQA
- 22 pursuant to Title 14, California Administrative Code, Section 15308, as an action by a
- 23 regulatory agency for the protection of the environment;

1	NOW, THEREFORE, BE IT RESOLVED, that this Board approves and adopts this
2	Negative Declaration certifying that there are no Major Sources of NOx in the following
3	categories, within the Placer County Air Pollution Control District, and therefore that the
4	requirements of Section 182(f) of the FCAA are not presently applicable to the District:
5	
6	Utility Boilers
7	Cement Kilns
8	Glass Treatment
9	Iron and Steel Manufacturing
10	Nitric and Adipic Acid Manufacturing
11	
12	NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED, that no Major
13	Sources of NOx in the above specified categories exist within the Placer County Air
-14	Pollution Control District, and therefore the Negative Declaration is made that the
15	requirements of Section 182(f) of the FCAA are not presently applicable to the District for
16	these categories.
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18	BE IT FURTHER RESOLVED AND ORDERED that the Air Pollution Control Officer is
19	hereby authorized and directed to submit this Negative Declaration as a requested revision to
20	the State Implementation Plan, in the form required by the California Air Resources Board
21	and the United States Environmental Protection Agency, on behalf of the Placer County Air
22	Pollution Control District.